

AMENDED IN SENATE MAY 11, 2011
AMENDED IN SENATE APRIL 5, 2011
AMENDED IN SENATE MARCH 22, 2011

SENATE BILL

No. 730

Introduced by Senator Kehoe

February 18, 2011

~~An act to amend Section 44272 of, and to add Section 19830 to, the Health and Safety Code, relating to energy. An act to add and repeal Article 2.5 (commencing with Section 44273.5) of Chapter 8.9 of Part 5 of Division 26 of the Health and Safety Code, relating to air resources.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 730, as amended, Kehoe. ~~Local government: building permits: electric vehicle charging. Plug-In Electric Vehicle Readiness Pilot Program.~~

~~(1) Existing law sets forth the powers and duties common to cities and counties:~~

~~This bill would require a city, county, or city and county to approve a building permit application to install vehicle charging equipment within one business day. The bill would also require the home building inspector of each city, county, or city and county that approves a building permit to review the work completed under the permit within 7 days of completion of the work. By adding to the duties of local officials, this bill would impose a state-mandated local program.~~

~~(2) Existing~~

~~Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission (Energy~~

Commission), to provide to specified entities, upon appropriation by the Legislature, grants, loans, loan guarantees, revolving loans, or other appropriate measures, for the development and deployment of innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change goals. Existing law specifies that only certain projects or programs are eligible for funding, including a program to provide funding for homeowners who purchase an electric vehicle to offset costs associated with modifying electrical sources to include a residential plug-in electric vehicle charging station.

~~This bill would, additionally, specify projects eligible for funding under the program to include a program provide funding to local governments that accept building permit applications for the installation of vehicle charging equipment online~~ *establish the Plug-In Electric Vehicle Readiness Pilot Program to be administered by the commission. The bill would require that the program include, but not be limited to, strategies that address several objectives relating to the permitting and planning of plug-in electric vehicle residential charging. The bill would also require the commission to solicit statewide the involvement of cities and counties for participation in the program. The bill would repeal these provisions on January 1, 2015.*

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

1 SECTION 1. Article 2.5 (commencing with Section 44273.5)
2 is added to Chapter 8.9 of Part 5 of Division 26 of the Health and
3 Safety Code, to read:
4
5 Article 2.5. Plug-In Electric Vehicle Readiness Pilot Program
6
7 44273.5. (a) The Plug-In Electric Vehicle Readiness Pilot
8 Program is hereby created. The program shall be administered
9 by the State Energy Resources Conservation and Development
10 Commission. The commission shall implement the program by

1 regulation pursuant to the requirements of Chapter 3.5
2 (commencing with Section 11340) of Part 1 of Division 3 of Title
3 2 of the Government Code. The commission shall solicit the
4 involvement of cities and counties statewide for participation in
5 the program. The program shall include, but not be limited to,
6 strategies that address all of the following:

7 (1) The development of expedited and streamlined permitting
8 of plug-in electric vehicle (PEV) residential charging.

9 (2) Customer PEV education and outreach.

10 (3) The provision of information to PEV owners concerning a
11 point of contact with the appropriate local government entity.

12 (4) Public and workplace infrastructure PEV planning,
13 including, but not limited to, planning relating to compliance with
14 the federal Americans with Disabilities Act of 1990 (42 U.S.C.
15 Sec. 12101 et seq.).

16 (5) Ensuring utility notification of residential level 2 PEV
17 chargers.

18 (b) The commission, in consultation with participating cities
19 and counties, shall develop a process for evaluating the
20 effectiveness of the pilot program. The evaluation shall measure
21 the progress of the elements specified in paragraphs (1) to (5),
22 inclusive, of subdivision (a) and include an evaluation of best
23 practices.

24 (c) (1) The commission shall report the findings of the
25 evaluation specified in subdivision (b) to the Legislature for the
26 periods covering January 1, 2012, to December 31, 2012, inclusive,
27 and January 1, 2013, to December 31, 2014, inclusive.

28 (2) The report required to be submitted pursuant to this Section
29 shall be submitted in compliance with Section 9795 of the
30 Government Code.

31 (d) This section shall remain in effect only until January 1, 2015,
32 and as of that date is repealed, unless a later enacted statute, that
33 is enacted before January 1, 2015, deletes or extends that date.

34 ~~SECTION 1. Section 19830 is added to the Health and Safety~~
35 ~~Code, to read:~~

36 ~~19830. (a) Any city, county, or city and county that requires~~
37 ~~the issuance of a permit as a condition precedent to the~~
38 ~~construction, alteration, improvement, demolition, or repair of any~~
39 ~~building or structure shall approve a building permit application~~
40 ~~to install vehicle charging equipment within one business day.~~

~~(b) The building inspector of each city, county, or city and county that approves a building permit shall review the work completed under the permit within seven days of completion of the work.~~

~~SEC. 2. Section 44272 of the Health and Safety Code is amended to read:~~

~~44272. (a) The Alternative and Renewable Fuel and Vehicle Technology Program is hereby created. The program shall be administered by the commission. The commission shall implement the program by regulation pursuant to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The program shall provide, upon appropriation by the Legislature, competitive grants, revolving loans, loan guarantees, loans, or other appropriate funding measures, to public agencies, vehicle and technology entities, businesses and projects, public-private partnerships, workforce training partnerships and collaboratives, fleet owners, consumers, recreational boaters, and academic institutions to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. The emphasis of this program shall be to develop and deploy technology and alternative and renewable fuels in the marketplace, without adopting any one preferred fuel or technology.~~

~~(b) A project funded by the commission shall be approved at a noticed public hearing of the commission and shall be consistent with the priorities established by the investment plan adopted pursuant to Section 44272.5.~~

~~(c) The commission shall provide preferences to those projects that maximize the goals of the Alternative and Renewable Fuel and Vehicle Technology Program, based on the following criteria, as applicable:~~

~~(1) The project's ability to provide a measurable transition from the nearly exclusive use of petroleum fuels to a diverse portfolio of viable alternative fuels that meet petroleum reduction and alternative fuel use goals.~~

~~(2) The project's consistency with existing and future state climate change policy and low-carbon fuel standards.~~

~~(3) The project's ability to reduce criteria air pollutants and air toxics and reduce or avoid multimedia environmental impacts.~~

1 ~~(4) The project's ability to decrease, on a life cycle basis, the~~
2 ~~discharge of water pollutants or any other substances known to~~
3 ~~damage human health or the environment, in comparison to the~~
4 ~~production and use of California Phase 2 Reformulated Gasoline~~
5 ~~or diesel fuel produced and sold pursuant to California diesel fuel~~
6 ~~regulations set forth in Article 2 (commencing with Section 2280)~~
7 ~~of Chapter 5 of Division 3 of Title 13 of the California Code of~~
8 ~~Regulations.~~

9 ~~(5) The project does not adversely impact the sustainability of~~
10 ~~the state's natural resources, especially state and federal lands.~~

11 ~~(6) The project provides nonstate matching funds.~~

12 ~~(7) The project provides economic benefits for California by~~
13 ~~promoting California-based technology firms, jobs, and businesses.~~

14 ~~(8) The project uses existing or proposed fueling infrastructure~~
15 ~~to maximize the outcome of the project.~~

16 ~~(9) The project's ability to reduce on a life cycle assessment~~
17 ~~greenhouse gas emissions by at least 10 percent, and higher~~
18 ~~percentages in the future, from current reformulated gasoline and~~
19 ~~diesel fuel standards established by the state board.~~

20 ~~(10) The project's use of alternative fuel blends of at least 20~~
21 ~~percent, and higher blend ratios in the future, with a preference~~
22 ~~for projects with higher blends.~~

23 ~~(11) The project drives new technology advancement for~~
24 ~~vehicles, vessels, engines, and other equipment, and promotes the~~
25 ~~deployment of that technology in the marketplace.~~

26 ~~(d) Only the following shall be eligible for funding:~~

27 ~~(1) Alternative and renewable fuel projects to develop and~~
28 ~~improve alternative and renewable low-carbon fuels, including~~
29 ~~electricity, ethanol, dimethyl ether, renewable diesel, natural gas,~~
30 ~~hydrogen, and biomethane, among others, and their feedstocks~~
31 ~~that have high potential for long-term or short-term~~
32 ~~commercialization, including projects that lead to sustainable~~
33 ~~feedstocks.~~

34 ~~(2) Demonstration and deployment projects that optimize~~
35 ~~alternative and renewable fuels for existing and developing engine~~
36 ~~technologies.~~

37 ~~(3) Projects to produce alternative and renewable low-carbon~~
38 ~~fuels in California.~~

1 ~~(4) Projects to decrease the overall impact of an alternative and~~
2 ~~renewable fuel's life cycle carbon footprint and increase~~
3 ~~sustainability.~~

4 ~~(5) Alternative and renewable fuel infrastructure, fueling~~
5 ~~stations, and equipment. The preference in paragraph (10) of~~
6 ~~subdivision (c) shall not apply to renewable diesel or biodiesel~~
7 ~~infrastructure, fueling stations, and equipment used solely for~~
8 ~~renewable diesel or biodiesel fuel.~~

9 ~~(6) Projects to develop and improve light-, medium-, and~~
10 ~~heavy-duty vehicle technologies that provide for better fuel~~
11 ~~efficiency and lower greenhouse gas emissions, alternative fuel~~
12 ~~usage and storage, or emission reductions, including propulsion~~
13 ~~systems, advanced internal combustion engines with a 40 percent~~
14 ~~or better efficiency level over the current market standard;~~
15 ~~light-weight materials, energy storage, control systems and system~~
16 ~~integration, physical measurement and metering systems and~~
17 ~~software, development of design standards and testing and~~
18 ~~certification protocols, battery recycling and reuse, engine and fuel~~
19 ~~optimization electronic and electrified components, hybrid~~
20 ~~technology, plug-in hybrid technology, battery electric vehicle~~
21 ~~technology, fuel cell technology, and conversions of hybrid~~
22 ~~technology to plug-in technology through the installation of safety~~
23 ~~certified supplemental battery modules.~~

24 ~~(7) Programs and projects that accelerate the commercialization~~
25 ~~of vehicles and alternative and renewable fuels including buy-down~~
26 ~~programs through near-market and market-path deployments;~~
27 ~~advanced technology warranty or replacement insurance;~~
28 ~~development of market niches, supply-chain development, and~~
29 ~~research related to the pedestrian safety impacts of vehicle~~
30 ~~technologies and alternative and renewable fuels.~~

31 ~~(8) Programs and projects to retrofit medium- and heavy-duty~~
32 ~~on-road and nonroad vehicle fleets with technologies that create~~
33 ~~higher fuel efficiencies, including alternative and renewable fuel~~
34 ~~vehicles and technologies, idle management technology, and~~
35 ~~aerodynamic retrofits that decrease fuel consumption.~~

36 ~~(9) Infrastructure projects that promote alternative and renewable~~
37 ~~fuel infrastructure development connected with existing fleets;~~
38 ~~public transit, and existing transportation corridors, including~~
39 ~~physical measurement or metering equipment and truck stop~~
40 ~~electrification.~~

1 ~~(10) Workforce training programs related to alternative and~~
2 ~~renewable fuel feedstock production and extraction, renewable~~
3 ~~fuel production, distribution, transport, and storage,~~
4 ~~high-performance and low-emission vehicle technology and high~~
5 ~~tower electronics, automotive computer systems, mass transit fleet~~
6 ~~conversion, servicing, and maintenance, and other sectors or~~
7 ~~occupations related to the purposes of this chapter.~~

8 ~~(11) Block grants administered by not-for-profit technology~~
9 ~~entities for multiple projects, education and program promotion~~
10 ~~within California, and development of alternative and renewable~~
11 ~~fuel and vehicle technology centers.~~

12 ~~(12) Life cycle and multimedia analyses, sustainability and~~
13 ~~environmental impact evaluations, and market, financial, and~~
14 ~~technology assessments performed by a state agency to determine~~
15 ~~the impacts of increasing the use of low-carbon transportation fuels~~
16 ~~and technologies, and to assist in the preparation of the investment~~
17 ~~plan and program implementation.~~

18 ~~(13) (A) A program to provide funding for homeowners who~~
19 ~~purchase a plug-in electric vehicle to offset costs associated with~~
20 ~~modifying electrical sources to include a residential plug-in electric~~
21 ~~vehicle charging station. In establishing this program, the~~
22 ~~commission shall consider funding criteria to maximize the public~~
23 ~~benefit of the program.~~

24 ~~(B) A program to provide funding to local governments that~~
25 ~~exceed the requirements of Section 19830 by accepting building~~
26 ~~permit applications for the installation of vehicle charging~~
27 ~~equipment online.~~

28 ~~(e) The commission may make a single source or sole source~~
29 ~~award pursuant to this section for applied research. The same~~
30 ~~requirements set forth in Section 25620.5 of the Public Resources~~
31 ~~Code shall apply to awards made on a single source basis or a sole~~
32 ~~source basis. This subdivision does not authorize the commission~~
33 ~~to make a single source or sole source award for a project or~~
34 ~~activity other than for applied research.~~

35 ~~(f) The commission may do both of the following:~~

36 ~~(1) Contract with the Treasurer to expend funds through~~
37 ~~programs implemented by the Treasurer, if the expenditure is~~
38 ~~consistent with all of the requirements of this article and Article~~
39 ~~1 (commencing with Section 44270).~~

1 ~~(2) Contract with small business financial development~~
2 ~~corporations established by the Business, Transportation and~~
3 ~~Housing Agency to expend funds through the Small Business Loan~~
4 ~~Guarantee Program if the expenditure is consistent with all of the~~
5 ~~requirements of this article and Article 1 (commencing with Section~~
6 ~~44270).~~

7 ~~SEC. 3. No reimbursement is required by this act pursuant to~~
8 ~~Section 6 of Article XIII B of the California Constitution because~~
9 ~~a local agency or school district has the authority to levy service~~
10 ~~charges, fees, or assessments sufficient to pay for the program or~~
11 ~~level of service mandated by this act, within the meaning of Section~~
12 ~~17556 of the Government Code.~~